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Biology Letter Report

From: Vince Scheidt, Consulting Biologist 

Date: Revised July 20, 2007

RE: Biological Resources, Project Impacts, and Mitigation –Sprint/Nextel “North Jamul” Wireless Facility, CA5178A

Per your recent request, we have completed a biology field study of the “North Jamul” Wireless Facility, CA5178A. The purpose of this survey (conducted on 23 Jun 2006) was to identify the site’s flora and fauna (Table 1), the onsite habitat-types (Figure 1), potential project impacts (Table 2), and mitigation if required. As a result of this study, we are able to summarize the following biological issues as they relate to site development as proposed:

PROJECT DESCRIPTION

The project proposes a Major Use Permit for an unmanned wireless communication facility at 15503 Lyons Valley Road in the Jamul area of unincorporated San Diego County. The subject project site is located within the boundaries of and subject to the requirements of the Multiple Species Conservation Program (MSCP). The facility consists of an equipment room located adjacent to the existing residence with associated antennas mounted behind a series of fiberglass chimneys, and a tower structure to the east. These are illustrated in Figure 2.

HABITATS

Four generally discrete habitat-types are found on the CA5178A project site. These are (1) Urban/Developed, (2) Disturbed Habitat, (3) Flat-top Buckwheat, and (4) Chamise Chaparral. The acreage numbers presented below assume 100 feet of fire clearing from the proposed structures as a result of them being constructed in conjunction with a residence. The fire department normally requires a 100-foot fire clearing area around all habitable structures.

Urban/Developed (Holland code #12000) – 0.6 acre

A paved access driveway from Lyons Valley Road leads to a house on the highest point of the site. A swimming pool is located southwest of the home, and an older tennis court is located to the northwest on the other side of a paved road that surrounds the dwelling. A number of old cars are also present along paved areas adjacent to the house. These areas support Urban/Developed habitat. Most of these areas are unvegetated and support little to no plant life. Occasional weeds are found in this area, such as Perennial Mustard (*Brassica geniculata*) and Ripgut Brome (*Bromus diandrus*), at the periphery of development.

Disturbed Habitat (Holland code #11300) – 0.2 acre

Disturbed Habitat is found in a patch along the east side of the project’s access road. This area was cleared and planted with orange trees (*Citrus sinensis*) several years ago, although the area appears to have been abandon. Weedy species and occasional native shrubs have begun to regrow in this area. These include large shrubs of Laurel Sumac, (*Malosma laurina*), Perennial Mustard, and other weedy species.

Chamise Chaparral (Holland code #37120) – 0.8 acre

The vegetation generally surrounding the house and pool, particularly to the north and west, consists of open to dense Chamise Chaparral habitat. This locally-common plant community is indicated by Chamise (*Adenostoma fasciculatum*), Flat-top Buckwheat (*Eriogonum fasciculatum*), Interior Scrub Oak (*Quercus berberidifolia*), Mission Manzanita (*Xylococcus bicolor*), and other various hard-woody shrubs. Herbaceous species associated with the habitat include Caterpillar Phacelia (*Phacelia cicutaria hispida*), Golden Yarrow (*Eriophyllum confertiflorum*), and others. The landowner has also partially cleared and planted various ornamentals within the chaparral habitat on the southeast facing slope.

Flat-top Buckwheat (Holland code #37K00) – < 0.1 acre

A small area adjacent to the house and pool qualifies as supporting Flat-top Buckwheat vegetation. Indicators include Flat-top Buckwheat, California Sagebrush (*Artemisia californica*), and Broom Baccharis (*Baccharis sarothroides*). This vegetation is clearly successional in an area that formerly supported chaparral. Occasional hard-woody shrubs are found in the chaparral, including Chamise and others, suggesting the former nature of the habitat. The area is currently open, rocky, and has low habitat value due to the surrounding land uses.

FLORA AND FAUNA

Twenty-one species of vascular plants and eight species of animals were detected during the field survey of the property (Table 1). These low numbers are reflective of the small size of the site and the nature of the proposed facility construction area (adjoining an existing house) and the existing access road. In any case, this list represents a characteristic flora and fauna associated with mostly intact, chaparral-based habitats in this part of San Diego County. All of the species detected are common to this area.

SENSITIVE SPECIES

Although no sensitive plants were detected, one sensitive animal was detected during the field survey:

Cooper's Hawk (*Accipiter cooperii*)

Listing: State Status: California "Fully Protected" Species (CDFG, 1999), "California Species of Special Concern" (CDFG, 2004)

County status: San Diego County "Sensitive Bird" List (DPLU, 1994)

Distribution: Occurs throughout most of North America, from northern Mexico to southern Canada.

Habitat(s): Inhabits a variety of woodlands, including oak woodlands, riparian and coniferous forests.

Status On Site: A single specimen observed flying over the existing home towards the oaks on the northern side of the project site.

Comments: Cooper's Hawk is tolerant of human presence and population numbers are considered stable in San Diego County.

In addition to the above, various other wide-ranging and/or cryptic species could occur on the project site. No critical or highly sensitive populations of any species would be anticipated, however. Sensitive species known from the vicinity, along with an assessment of the probability of occurrence onsite, are presented in Table 3.

PROJECT IMPACTS

Approval and construction of the CA5178A project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA). This means that the County requires that project-related impacts to native habitats and species be "less than significant", as defined by CEQA. This usually requires the adoption of mitigation measures intended to reduce "significant" impacts to a level that is "less than significant".

Direct Impacts

Project-related direct impacts, as we have identified them, are presented in Table 2. As mentioned above, the impact analysis in Table 2 assumes that required fire clearing adjacent to the new structures could be up to 100 feet from the outer edge of the facility. Trenching for the new underground power cable will impact Chamise Chaparral. However, these impacts fall within the 100-foot fuel modification zone from the outer edge of the facility and do not represent additional impacts to those previously calculated. Construction of CA5178A could thus result in a loss of:

- 0.6 acre of Urban/Developed Habitat
- 0.2 acre of Disturbed Habitat
- 0.8 acre of Chamise Chaparral (primarily from fire clearing)
- < 0.1 acre of Flat-top Buckwheat (entirely from fire clearing)

Impacts to Chamise Chaparral and Flat-top Buckwheat are considered potentially "significant", as defined by CEQA. Current County policy/ordinance requires mitigation for project impacts to chaparral and buckwheat vegetation.

Impacts to Urban/Developed Habitat and Disturbed Habitat are considered "less than significant". Current County policy does not require any mitigation for project impacts that are "less than significant".

Indirect Impacts

Based on comments from the County (letter: 25 April 2007), the project will generate relatively high noise levels in the immediate vicinity of the lease area. This could result in noise impacts to wildlife that is intolerant of high decibel levels. However, this is considered "less than significant" due to the fact that the noise is continuous, which is less deleterious to most species, and because 100 feet in all directions are already considered impacted due to fire clearing. It is expected that noise attenuation beyond 100 feet will be minimal.

Other indirect impacts could be fugitive dust, uncontrolled runoff, and littering by access personnel. These impacts are also considered "less than significant" due to the fact that the site is already developed and because it is assumed that standard BMPs will be employed to ensure that dust, runoff, etc. are controlled during and after construction. These are not expected to be substantial, in any case.

Potential displacement impacts to nesting raptors or migratory songbirds are considered potentially significant, as defined by CEQA. The federal Migratory Bird Treaty Act (MBTA) and Sections 3503, 3503.5 and 3513 of the California Fish and Game Code (CFGF) protect the nests of essentially all native birds. Although no active bird nests or nesting behaviors were detected during the site survey, nesting in some of the nearby trees or larger shrubs on or adjacent to the site is possible. Any disturbance, either direct or indirect, that would cause abandonment of active nests containing eggs or young would be a violation of the MBTA and the CFGF.

MITIGATION REQUIREMENTS

At this time, in order to reduce all project impacts (see Table 2) to "less than significant", as defined by CEQA, and satisfy the County policy of requiring mitigation for impacts to sensitive habitats, the following mitigation measures are recommended:

1. Provide offsite mitigation for all potential project impacts to Chamise Chaparral and Flat-top Buckwheat vegetation that could be impacted by required fire clearing. Table 2 presents the detailed mitigation analysis associated with this project, including mitigation requirements.
2. Site brushing, grading, and/or the removal of vegetation within 300 feet of any potential migratory songbird or raptor nesting location will not be permitted during the spring/summer songbird breeding season, defined as from 1 January to 31 August of each year. This is required in order to ensure compliance with the CFGC and the MBTA. Limiting activities to the non-breeding season will minimize chances for the incidental take of migratory songbirds or raptors.

Should it be necessary to conduct brushing, grading, or other habitat-removal activities during the bird breeding season, a preconstruction nesting survey of all areas within 300 feet of the proposed activity will be required. The results of the survey will be provided in a report to the Director, Department of Planning and Land Use and the Wildlife Agencies for concurrence with the conclusions and recommendations.

Thanks for the opportunity to provide this summary biological study and project impact analysis. Please contact us if you have any questions.

Figure 1. Site Location - Sprint/Nextel "North Jamul" Wireless Facility, CA5178A

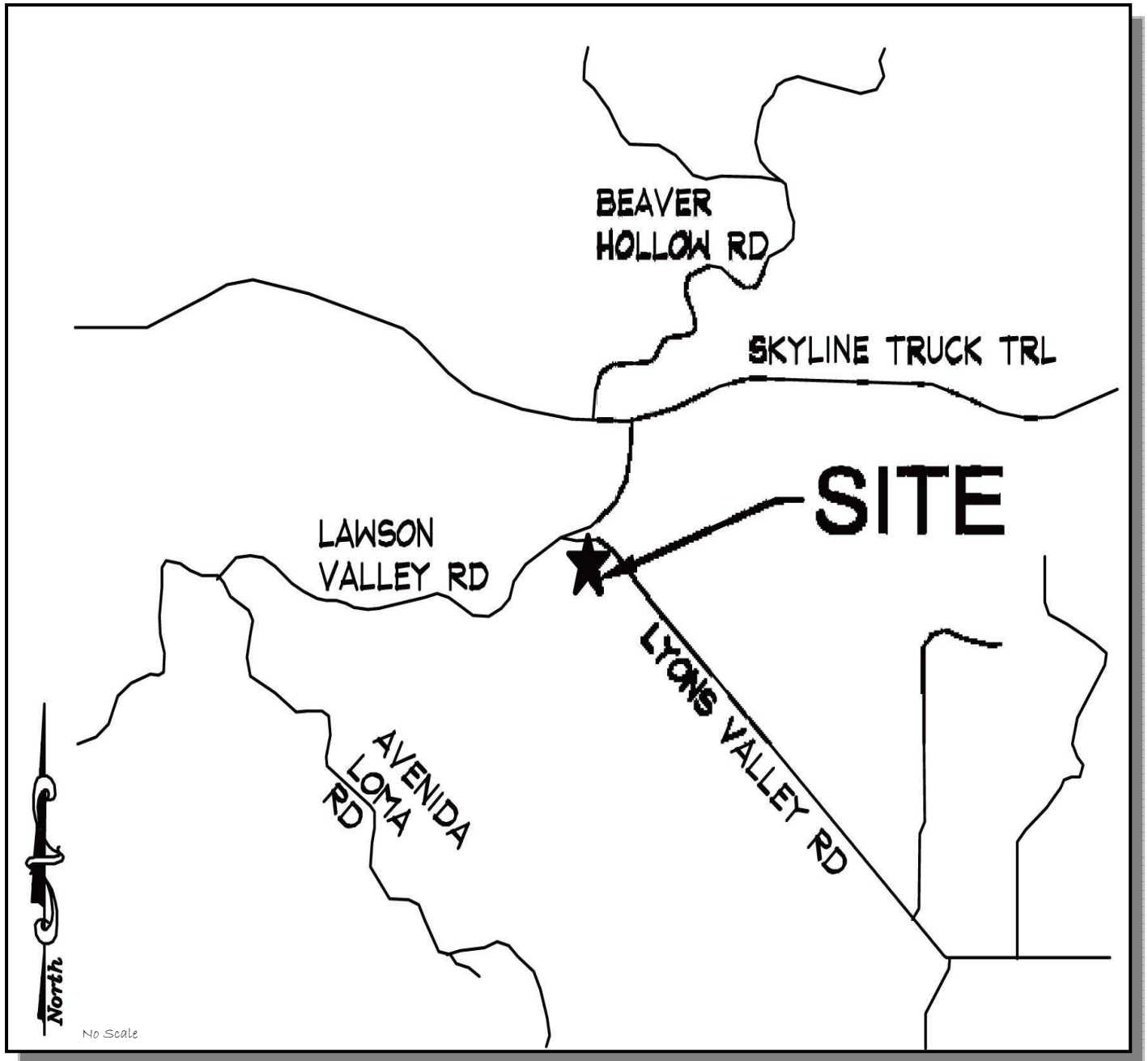
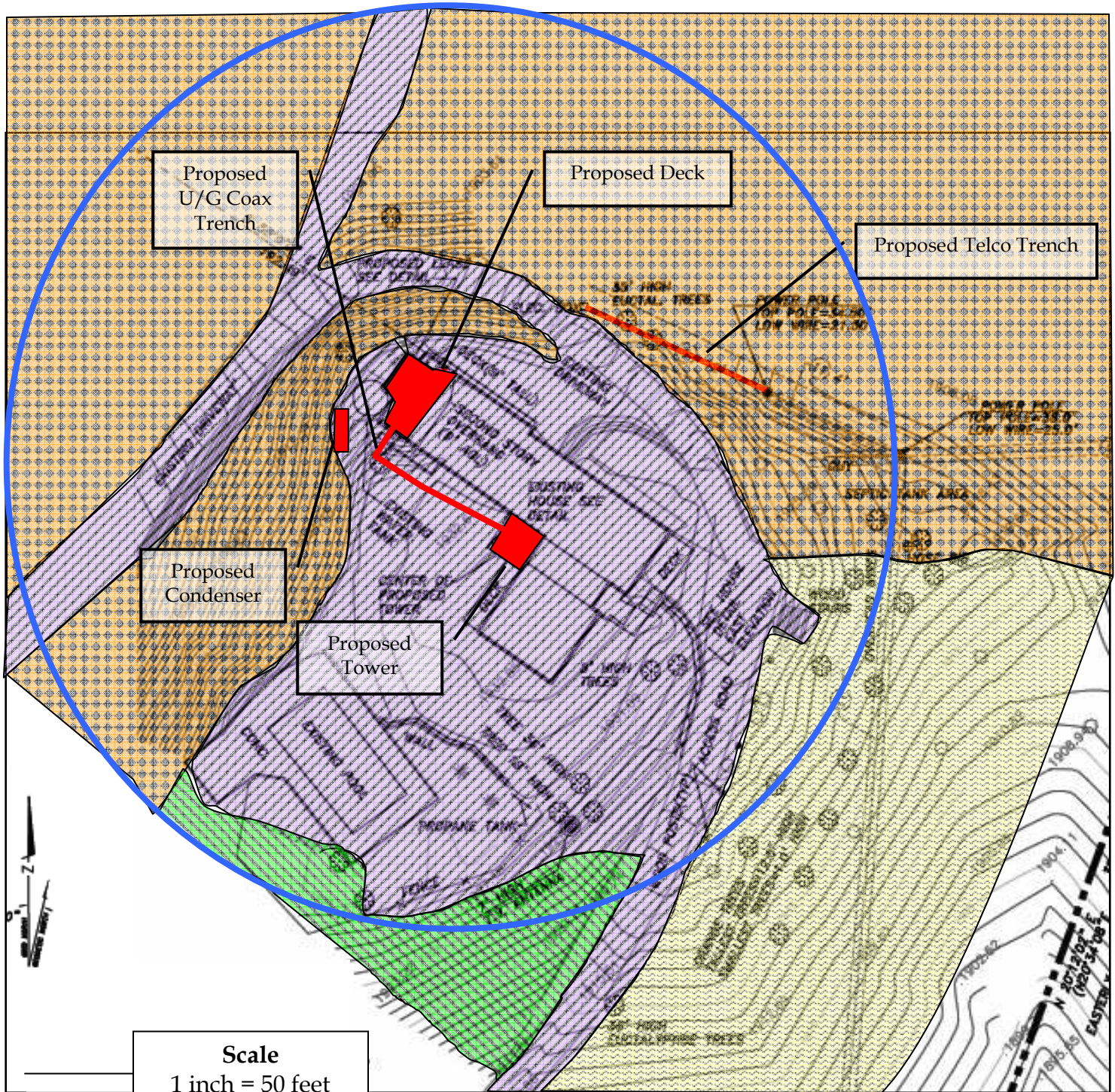


Figure 2. Site Plan showing Habitats - Sprint/Nextel "North Jamul" Wireless Facility, CA5178A



Legend

- Proposed Project Improvement
- Limits of Proposed 100' Fuel Modification Zone
- Chamise Chaparral (Holland Code 37120)
- Urban/Developed (Holland Code 12000)
- Flat-top Buckwheat (Holland Code 37K00)
- Disturbed Habitat (Holland Code 11300)

Table 1. Flora and Fauna Detected - Sprint/Nextel "North Jamul" Wireless Facility, CA5178A

<u>Scientific Name</u>	<u>Common Name</u>
<u>Plants</u>	
<i>Adenostoma fasciculatum</i>	Chamise
<i>Antirrhinum nuttallianum</i>	Nuttall's Snapdragon
<i>Artemisia californica</i>	California Sagebrush
<i>Avena barbata</i> *	Slender Wild Oat
<i>Baccharis sarothroides</i>	Broom Baccharis
<i>Brassica geniculata</i> *	Perennial Mustard
<i>Bromus diandrus</i> *	Ripgut Brome
<i>Bromus rubens</i> *	Foxtail Brome
<i>Centaurea melitensis</i> *	Tocalote
<i>Eriogonum fasciculatum</i>	Flat-top Buckwheat
<i>Eriophyllum confertiflorum</i>	Golden Yarrow
<i>Festuca megalura</i> *	Foxtail Fescue
<i>Haplopappus squarrosus</i>	Hazardia
<i>Hedynopsis cretica</i> *	Hedynopsis
<i>Hordeum murinum</i> *	Wild Barley
<i>Lathyrus laetiflorus</i>	Chaparral Pea
<i>Malosma laurina</i>	Laurel Sumac
<i>Phacelia cicutaria hispida</i>	Caterpillar Phacelia
<i>Quercus agrifolia</i>	Coast Live Oak
<i>Quercus berberidifolia</i>	Interior Scrub Oak
<i>Xylococcus bicolor</i>	Mission Manzanita
<u>Birds</u>	
<i>Accipiter cooperii</i>	Cooper's Hawk
<i>Carpodacus mexicanus</i>	Housefinch
<i>Chamaea fasciata</i>	Wrentit
<i>Phainopepla nitens</i>	Phainopepla
<i>Pipilo erythrophthalmus</i>	Rufous-sided Towhee
<u>Reptiles</u>	
<i>Sceloporus occidentalis</i>	Western Fence Lizard
<u>Butterflies</u>	
<i>Adelpha bredowii californica</i>	California Sister
<i>Glaucopsyche lygdamus</i>	Southern Blue

Total - 20 plants and 8 animals detected

* - non-native taxon

BOLD – sensitive species

Table 2. Impact/Mitigation Analysis – Sprint/Nextel “North Jamul” Wireless Facility, CS5178A

<u>Biological Resource (Pre-development)</u>	<u>Acres of Habitat Impacted¹</u>	<u>Offsite Mitigation Required ²</u>
Chamise Chaparral	0.8 acre	0.4 acre (@ ½-to-1)
Flat-top Buckwheat	< 0.1 acre	0.1 acre (@ 1-to-1)
Urban/Developed Habitat	0.6 acre	none
Disturbed Habitat	0.2 acre	none
<hr/>		
Totals	approximately 1.7 acre	0.5 acre

¹ - Assumes 100 feet of required fire clearing

² - Assuming that mitigation occurs offsite via the securement of habitat mitigation credits

Table 3. Sensitive Species Known from the Vicinity - Sprint/Nextel "North Jamul" Facility, CS5178A

Scientific Name	Common Name	Federally Endangered	Federally Threatened	State Threatened	State Rare	Coastal Sage Scrub	Mixed Chaparral	Grassland	Riparian	Oak Woodland	Chamise Chaparral	Mixed Conifer	Closed Cone Forest	Piñon-Juniper	Freshwater Marsh	Desert Scrub	Desert Wash	Salt or Alkali Marsh	Vernal Pools	Montane Meadow	Coastal or Desert Dune	Lakes and Bays	Probability of Occurrence
<i>Taxidea taxus</i>	American badger					X	X	X		X	X	X		X		X	X			X			L
<i>Bufo microscaphus californicus</i>	Arroyo toad	X				X	X	X	X	X	X									X			L
<i>Amphispiza belli belli</i>	Bell's sage sparrow					X	X				X												M
<i>Nyctinomops macrotis</i>	Big free-tailed bat					X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	M
<i>Elanus caeruleus</i>	Black-shouldered kite							X	X														M
<i>Rana aurora draytoni</i>	California red -legged frog		X						X						X					X		X	L
<i>Clarkia delicata</i>	Campo Clarkia									x													L
<i>Nolina cismontana</i>	Chaparral beargrass						X				X												L
<i>Salvadora hexalepis virgultea</i>	Coast patch-nosed snake					X	X				X			X									M
<i>Charina trivirgata roseofusca</i>	Coastal rosy boa					X	X			X	X												M
<i>Cnemidophorus tigris multiscutatus</i>	Coastal western whiptail						X		X	X	X												M
<i>Accipiter cooperii</i>	Cooper's hawk							X	X	X													O
<i>Piperia cooperi</i>	Cooper's rein orchid					X	X	X			X												L
<i>Chaetodipus californicus femoralis</i>	Dulzura California pocket mouse					X	X	X		X	X	X											M
<i>Quercus engelmannii</i>	Engelmann oak								X	X													L
<i>Monardella hypoleuca lanata</i>	Felt leaved rock mint						X				X												L
<i>Polygala cornuta fishiae</i>	Fish's milkwort						X				X												L
<i>Myotis thysanodes</i>	Fringed myotis						X		X	X	X	X	X	X						X			L
<i>Senecio ganderi</i>	Gander's butterweed				X		X				X												L
<i>Aquila chrysaetos</i>	Golden eagle					X	X	X		X	X	X	X	X									L
<i>Ammodramus savannarum</i>	Grasshopper sparrow							X															L
<i>Eumops perotis californicus</i>	Greater western mastiff bat					X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	M
<i>Eremophila alpestris actis</i>	Horned lark							X												X			L
<i>Lanius ludovicianus</i>	Loggerhead shrike					X		X	X	X						X	X						M
<i>Myotis evotis</i>	Long eared myotis						X		X	X	X	X	X	X						X			M
<i>Myotis volans</i>	Long legged myotis						X		X	X	X	X	X	X						X			M
<i>Perognathus longimembris brevisasus</i>	Los Angeles little pocket mouse					X	X	X			X	X									X		L
<i>Danaus plexippus</i>	Monarch butterfly							X		X										X			M
<i>Felis concolor</i>	Mountain lion					X	X		X	X	X	X	X	X		X	X			X			L
<i>Piperia leptopetala</i>	Narrow-petaled rein orchid					X	X	X															L
<i>Crotalus ruber ruber</i>	Northern red diamond rattlesnake					X	X				X			X		X							M
<i>Cnemidophorus hyperythrus</i>	Orange-throated whiptail					X	X	X	X		X												M

Table 3. Sensitive Species Known from the Vicinity – Sprint/Nextel “North Jamul”, CS5178A (cont)

Scientific Name	Common Name	Federally Endangered	Federally Threatened	State Threatened	State Rare	Coastal Sage Scrub	Mixed Chaparral	Grassland	Riparian	Oak Woodland	Chamise Chaparral	Mixed Conifer	Closed Cone Forest	Piñon-Juniper	Freshwater Marsh	Desert Scrub	Desert Wash	Salt or Alkali Marsh	Vernal Pools	Montane Meadow	Coastal or Desert Dune	Lakes and Bays	Probability of Occurrence
<i>Brodiaea orcuttii</i>	Orcutt's brodiaea							X	X	X	X								X				L
<i>Antrozous pallidus</i>	Pallid bat					X	X	X	X	X	X	X	X	X		X	X			X			M
<i>Harpagonella palmeri</i>	Palmer's grappling hook					X		X			X												L
<i>Tetracoccus dioicus</i>	Parry's tetracoccus						X				X												L
<i>Chorizanthe leptotheca</i>	Peninsular spine flower						X				X												L
<i>Nyctinomops femorosaccus</i>	Pocketed free-tailed bat					X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	M
<i>Horkelia truncata</i>	Ramona horkelia						X																L
<i>Buteo lineatus</i>	Red-shouldered hawk								X	X													M
<i>Bassariscus astutus</i>	Ringtail						X				X												L
<i>Aimophila ruficeps canescens</i>	Rufous-crowned sparrow					X					X												M
<i>Coleonyx variegatus abbotti</i>	San Diego banded gecko					X		X			X												L
<i>Lepus californicus bennettii</i>	San Diego black-tailed jackrabbit					X	X	X		X	X	X	X										L
<i>Neotoma lepida intermedia</i>	San Diego desert woodrat					X			X	X	X												M
<i>Phrynosoma coronatum blainvillei</i>	San Diego horned lizard					X	X	X	X		X	X											M
<i>Diadophis punctatus similis</i>	San Diego ringneck snake					X	X		X	X	X	X	X										L
<i>Accipiter striatus</i>	Sharp-shinned hawk					X				X		X											M
<i>Anniella pulchra pulchra</i>	Silvery legless lizard					X		X	X												X		L
<i>Myotis ciliolabrum</i>	Small-footed myotis						X		X	X	X	X	X	X			X			X			M
<i>Thamnophis sirtalis ssp. Novum</i>	South Coast garter snake								X						X								L
<i>Onychomys torridus ramona</i>	Southern grasshopper mouse					X	X	X			X												L
<i>Chamaebatia australis</i>	Southern mountain misery						X				X												L
<i>Odocoileus hemionus</i>	Southern mule deer					X	X	X	X	X	X	X	X	X		X	X			X			L
<i>Dipodomys stephensi</i>	Stephen's kangaroo rat	X		X		X		X															L
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat						X	X	X	X	X	X	X	X		X	X			X			L
<i>Agelaius tricolor</i>	Tricolored blackbird							X	X						X								L
<i>Cathartes aura</i>	Turkey vulture					X	X	X	X	X	X	X	X										M
<i>Sialia mexicana</i>	Western bluebird								X	X													L
<i>Lasiurus blossevillei</i>	Western red bat								X	X		X	X							X			M
<i>Icteria virens</i>	Yellow-breasted chat								X														L
<i>Myotis yumanensis</i>	Yuma myotis					X	X	X	X	X	X	X	X	X	X		X	X	X		X		M

Probability of Occurrence Codes:

L – Low Probability; rare species in area, and no significant habitat (animals); *or* distinctive perennial that would not have been missed if present onsite (plants). **M** – Moderate Probability; could be expected to occur onsite on at least an occasional basis, based on habitat quality (animals); *or* could occur onsite, but very rare, and/or poorly known (plants). **H** – High Probability; nearly certain to occur onsite on a regular basis (animals), but cryptic; *or* ephemeral species known from the immediate vicinity, but seasonal in occurrence (plants). **O** – Observed; see text for discussion.